

NOT YET SCHEDULED FOR ORAL ARGUMENT

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CLEAN FUELS ALLIANCE AMERICA,

*Petitioner,*

V.

No. 22-1201

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

*Respondent.*

## JOINT MOTION FOR CONTINUATION OF ABEYANCE

EPA and Clean Fuels previously requested an abeyance in this case on the hope that it could be resolved without litigation after an administrative action or actions. On July 12, 2023, EPA finalized a rule, which among other things, set renewable fuel volumes and standards for 2023 through 2025 under the Renewable Fuel Standard (“RFS”) program and also addressed the subject of this litigation. After reviewing the final rule, Clean Fuels has determined that it is willing to dismiss its petition.

The parties anticipate filing a joint stipulation of dismissal shortly, and request one additional 30-day abeyance until September 6, 2023 for the parties to draft and agree on a stipulated dismissal.

Dated: August 4, 2023

Respectfully submitted,

/s/ Bryan M. Killian

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that this motion complies with the requirements of Fed. R. App. P. 27(d)(2)(A) because it contains 112 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f). I further certify that this motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this motion was prepared in Microsoft Word using 14-point Times New Roman font.

/s/ Bryan M. Killian

**CERTIFICATE OF SERVICE**

I hereby certify that on August 4, 2023 I caused the foregoing to be electronically filed with the Clerk of the U.S. Court of Appeals for the D.C. Circuit by using the Court's appellate CM/ECF system and that service will be accomplished by the appellate CM/ECF system.

/s/ Bryan M. Killian